

### Remarks

This Amendment is responsive to the Office Action mailed January 26, 2005 that allowed claims 19-22, 24, and 25; objected to claims 5, 9, 12, 14, and 18; and finally rejected claims 1-3, 6-8, 10-11, 15-17, 26, and 27. The Applicant has herein amended claims 1, 10, 26 and 27. These amendments are proper, do not introduce new matter, do not require additional searching, are not narrowing in view of a prior art rejection, and place the application in proper condition for reconsideration and allowance or appeal.

### Rejection Under 35 USC 102

Claims 1-3, 6-8, 10-11, 15-17, 26, and 27 were rejected as being anticipated by Krounbi '620. This rejection is respectfully traversed.

#### Claim 1

As Applicant previously argued, Krounbi '620 cannot sustain a Section 102 rejection because it is silent regarding both reading the servo wedge and writing two or more servo bursts during the instance of the first sector position passing by the head as claimed. In the passage cited by the Examiner, Krounbi '620 discloses reading at least part of the A servo bursts and writing at least part of the B servo bursts during a first time interval. (Krounbi '620, col. 5 lines 29-32) The "first time interval" is explicitly defined as during a first revolution of the disk. (Krounbi '620, col. 7 line 29) There is no disclosure or suggestion in Krounbi '620 of both reading a servo wedge and writing two or more servo bursts during the instance that the sector passes by the head.

Nevertheless, solely in order to advance prosecution on the merits in the face of the disputed finality of the rejection, the Applicant has amended claim 1 to more particularly point out and distinctly claim that the two or more servo bursts are written *in relation to each servo wedge read in step (a)*. This amendment undoubtedly obviates the Examiner's rejection because Krounbi '620 clearly reads and writes the bursts in an alternating sequential manner. That is, as shown for example in FIGS. 3 and 6A-B, Krounbi '620

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requires during an interval (first or second) reading one servo burst and then writing one servo burst in relation to the previously-read servo burst. Before a second servo burst is written, another servo burst must first be read. Under no circumstance does Krounbi '620 contemplate writing more than one servo bursts in relation to reading one servo burst.

The Examiner has acknowledged the distinction between the embodiments of the present invention and the one-to-one relationship of reading and writing servo bursts of Krounbi '620. (Office Action of January 26, 2005, pg. 4, para. 7.) The only barrier to allowance is finding agreement on claim language that gives notice of this distinction. The amendment to claim 1 is clarifying and not limiting of the scope in view of a bona fide prior art rejection. The amendment is necessary to place the claim in condition for allowance or appeal, does not raise new issues, and does not require additional searching by the Examiner to pass claim 1 to allowance. Reconsideration and withdrawal of the rejection of claim 1 and the claims depending therefrom are respectfully requested.

#### Claim 10

Claim 10 as previously presented is allowable over the art of record for the same reason as above; that is, for example, neither Krounbi '620 nor any other art of record discloses or suggests the reading of a servo burst and the writing of two or more servo bursts *during the instance of the first sector position passing by the head....*

Nevertheless, solely in order to advance prosecution on the merits in the face of the disputed finality of the rejection, the Applicant has amended claim 10 to include the features of objected to claim 18, thereby placing former claim 18 in independent form. Specifically, the following language from the Examiner's statement of reasons for indication of allowable subject matter has been included verbatim in currently amended claim 10: *(a processor for)...finding a head offset and switching to a different order the reading and writing for each sector position after reading the servo wedge and the writing servo bursts according to a first order for a number of tracks equal to the head offset.*

The amendment to claim 10 obviates the Examiner's objection by placing former claim 18 in independent form. Reconsideration and withdrawal of the present rejection of claim 10 and the claims depending therefrom are respectfully requested.

Claims 26 and 27

Claims 26 and 27 as previously presented are allowable over the art of record for the same reason as above; that is, for example, neither Krounbi '620 nor any other art of record discloses or suggests the reading of a servo burst and the writing of two or more servo bursts *in a first sector...during less than one revolution of the media.*

Nevertheless, solely in order to advance prosecution on the merits in the face of the disputed finality of the rejection, the Applicant has amended claims 26 and 27 to more particularly point out and distinctly claim *writing two or more servo bursts on a second track...before reading a subsequent servo wedge on the first track with the read element.*

As above, this amendment undoubtedly obviates the Examiner's rejection over Krounbi '620's alternating sequential reading and writing of single servo bursts. The Examiner has acknowledged the distinction between the embodiments of the present invention and the one-to-one relationship of reading and writing servo bursts of Krounbi '620. The only barrier to allowance is finding agreement on claim language that gives notice of this distinction. The amendments to claims 26 and 27 are clarifying and not limiting of the scope in view of a bona fide prior art rejection. The amendment is necessary to place the claim in condition for allowance or appeal, does not raise new issues, and does not require further searching for the Examiner to pass claims 26 and 27 to allowance. Reconsideration and withdrawal of the rejection of claims 26 and 27 are respectfully requested.

Allowed Claims and Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 19-22, 24, and 25. The Applicant further gratefully acknowledges the indication of allowability of claims 5, 9, 12, 14, and 18. The Applicant has amended claim 10 to place objected-to claim 18 in independent form; claims 12 and 14 are allowable as dependent claims of claim 10. The Applicant has opted not to place claims 5 or 9 in independent form because claim 1 from which they depend is allowable for reasons above. The Applicant has filed herewith a Response to the Examiner's Statement of Reasons for Indication of Allowable Subject Matter.

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**Conclusion**

This is a complete response to the Office Action mailed January 26, 2004. The Applicant respectfully requests that the Examiner enter the above amendments, reconsider the application and allow all of the pending claims. The Examiner is invited to contact the below signed Attorney should any questions arise concerning this response.

Respectfully submitted,

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